

S/N 09/895,471

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Scott R. Shell et al. Examiner: Shick C. Hom
Serial No.: 09/895,471 Group Art Unit: 2616
Filed: June 29, 2001 Docket No.: 50037.25US01
Title: SYSTEM AND METHOD FOR CONTINUOUSLY PROVISIONING A
MOBILE DEVICE

RECEIVED
CENTRAL FAX CENTER
OCT 19 2006

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this correspondence is being sent via facsimile to (571) 273-8300, Mail Stop Amendment, Commissioner for Patents, Attn: Examiner Shick C. Hom, P.O. Box 1450, Alexandria, VA 22313-1450 on October 19, 2006.


Tracy Gutscher

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL
DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Mail Stop Amendment
Commissioner for Patents
Attn: Examiner Shick C. Hom
P.O. Box 1450
Alexandria, Virginia 22313-1450

27488

PATENT TRADEMARK OFFICE

Dear Sir:

Petitioner, Microsoft Corporation, a corporation organized and existing under the laws of the State of Washington and having its primary place of business at One Microsoft Way, Redmond, Washington 98052 represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/895,471, filed on June 29, 2001 and entitled SYSTEM AND METHOD FOR CONTINUOUSLY PROVISIONING A MOBILE DEVICE ("present application"), by virtue of our assignment recorded at Reel 011963, Frame(s) 0364. Attached herewith is a Certificate under 37 C.F.R. § 3.73(b) establishing Microsoft Corporation's right as assignee to take action.

Petitioner, Microsoft Corporation, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as shortened by any terminal disclaimer filed prior to the grant of any patent granted from pending second U.S. Patent Application Serial No. 09/895,450, filed on June 29, 2001, and entitled SYSTEM AND METHOD TO QUERY SETTINGS ON A MOBILE DEVICE ("second application") and hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on the second application, this agreement to run with any patent granted on the present application and to be binding upon the grantee, its successors, or assigns.

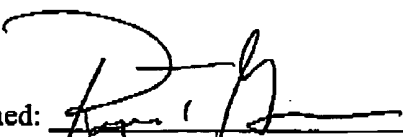
In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the present application that would extend to the full statutory term as shortened by any terminal disclaimer filed prior to the patent grant on the second application, in the event that any such issued patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 10/19/06

Signed: 

Name: Ryan T. Grace

Title: Attorney for Petitioner

RECEIVED
CENTRAL FAX CENTER

OCT 19 2006

S/N 09/895,471

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Scott R. Shell et al.	Examiner:	Shick C. Horn
Serial No.:	09/895,471	Group Art Unit:	2616
Filed:	June 29, 2001	Docket No.:	50037.25US01
Title:	SYSTEM AND METHOD FOR CONTINUOUSLY PROVISIONING A MOBILE DEVICE		

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Microsoft Corporation, a corporation organized and existing under the laws of the State of Washington, having a place of business at One Microsoft Way, Redmond, Washington 98052, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A. ☒ An assignment from the inventor(s), of the patent application identified above.
The assignment was recorded in the Patent and Trademark Office on June 29, 2001, at Reel 011963, Frame(s) 0364, or for which a copy is attached.
- B. ☐ A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:
1. From: To:
The document was recorded in the Patent and Trademark Office at Reel ,
Frame(s) , or for which a copy thereof is attached.
 2. From: To:
The document was recorded in the Patent and Trademark Office at Reel ,
Frame(s) , or for which a copy thereof is attached.

3. From: To:

The document was recorded in the Patent and Trademark Office at Reel ,
Frame(s) , or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 10/19/06

By: 

Name: Ryan T. Grace

Title: Attorney for Petitioner

23552

PATENT TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SEPTEMBER 18, 2001

PTAS



101777152A

MERCHANT & GOULD P.C.
JOHN E. WHITAKER
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/29/2001

REEL/FRAME: 011963/0364
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SHELL, SCOTT R.

DOC DATE: 06/28/2001

ASSIGNOR:

BUTLER, LEE M.

DOC DATE: 06/28/2001

ASSIGNEE:

MICROSOFT CORPORATION
ONE MICROSOFT WAY
REDMOND, WASHINGTON 98052

SERIAL NUMBER: 09895471

FILING DATE: 06/29/2001

PATENT NUMBER:

ISSUE DATE:

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

D✓

10-19-06

03:48PM

FROM-MERCHANT & GOULD P.C.

206-342-6201

T-350

P.017/019

F-228

FORM PTO-1595

(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)

M&G- 50037.25US01



101777152

BT

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying parties:

- (1) Scott R. Shell
(2) Lee M. Butler

06/29/01

2. Name and address of receiving party:

Microsoft Corporation
One Microsoft Way
Redmond, Washington 98052

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ NoAdditional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other:

Execution Date:

- (1) June 28, 2001
(2) June 28, 2001

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

- (1) June 28, 2001
(2) June 28, 2001

A. Patent Application No.(s)

B. Patent No.(s)

09/895471

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John E. Whitaker
Address: Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Please charge any additional fees or credit any overpayments to our Deposit account number: 13-2725

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John E. Whitaker

Name of Person Signing

Signature

June 29, 2001

Date

Total number of pages including cover sheet, attachments, and document: 3

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Box Assignments
Director - U.S. Patent and Trademark Office
Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

07/13/2001 GT0H11 00000180 09895471

01 FC:581

40.00 OP

RECEIVED
CENTRAL FAX CENTER

OCT 19 2006

MS # 160459.1/50037.25US01

ASSIGNMENT

WHEREAS, we, Scott R. Shell and Lee M. Butler, (hereinafter referred to as ASSIGNORS), having post office addresses of 8500 148th Avenue NE, Apt. D1012, Redmond Washington 98052 and 33705 NE 122nd Street, Carnation, Washington 98014, respectively, are the joint inventors of an invention entitled "SYSTEM AND METHOD FOR CONTINUOUSLY PROVISIONING A MOBILE DEVICE," as described and claimed in the specification forming part of an application for United States Letters Patent executed herewith;

WHEREAS, Microsoft Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a principal place of business at One Microsoft Way, Redmond, Washington 98052, is desirous of acquiring the entire right, title and interest in and to the invention, and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE, the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and

request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

Date:

6/28/01
SCOTT R. SHELL

Date:

6/28/01
LEE M. BUTLER